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SUBJECT: POLAND: 2009-10 INTERNATIONAL NARCOTICS CONTROL STRATEGY
REPORT (INCSR) PART I

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WARSAW 00001136 001.2 OF 003

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11. (SBU) Mission Poland's submission for the 2009-2010 INCSR Part I follows:

Begin Text:

1I. Summary

Poland has traditionally been a transit country for drug trafficking. As economic conditions improve, it is increasingly a more significant consumer of narcotics and producer of amphetamines. The Government of Poland has a comprehensive demand reduction program and integration into the European Union's Schengen zone appears to have improved law enforcement capabilities against narcotics trafficking. Poland is a party to the 1988 UN Drug Convention.

II. Status of Country

In 2009, the Law on Combating Drug Addiction was revised to include new types of recreational drugs. Compared to 2007, public expenditures on counternarcotics programs increased in 2008. Polish law enforcement agencies have succeeded in breaking up organized crime syndicates involved in drug trafficking, yet trafficking activities continue to become more sophisticated and global in nature. According to statistics provided by the Polish National Police (PNP), the number of drug-related crimes has not changed significantly as a result of Poland's accession to the European Union's Schengen zone. However, there have been improvements in information sharing via the EU's Schengen Information System. Police officials acknowledge that statistics probably do not reflect the full scale of narcotics transiting through Poland. Cooperation between USG officials and Polish law enforcement has been excellent and Poland's EU accession in 2004 made the GoP more earnest about enforcing narcotics policy.

III. Country Actions against Drugs in 2008

Policy Initiatives. Budget: The 2008 expenditures on the National Program for Counteracting Drug Addiction totaled approximately 149 million PLN (50 million USD), compared with 136.5 million PLN (approx. 58 million USD) in 2007. This figure includes expenditures of the National Bureau for Drug Prevention, National AIDS Center, the Institute of Psychiatry and Neurology, Border Guards, the National Health Fund, provincial and municipal Governments, various training programs, and many other associated expenses. This figure excludes Police Headquarters and Central Management Board of Prison Service expenses.

Legislation. On March 20, 2009 a revision of the Law on Combating

Drug Addiction was adopted to include new types of recreational drugs (such as Benzylpiperazine, or BZP) to the list of prohibited substances. The Ministry of Health is currently implementing the fourth National Plan on HIV and AIDS for the years 2007-2011. The first National Plan was developed in 1995. In 2008, the Justice Ministry established a special inter-ministerial group to revise the 2005 Law on Combating Drug Addiction and to encourage alternative forms of punishment to incarceration for drug addicts or simple possession offenders. The Justice Ministry completed a resulting draft bill in July 2009, which is currently under inter-ministerial review. Although under current law, drug users can be required to attend specialized therapy and have their cases suspended or dropped if therapy succeeds, this option is rarely utilized. Polish law permits the use of informants, telephone taps, and controlled deliveries to fight international crime, and a witness protection program is in place. The maximum sentence for narcotics trafficking is 15 years. All forms of possession are punishable.

Law Enforcement. Administrative controls for programs like demand reduction and health care are largely decentralized, while law enforcement efforts remain centralized and hierarchical in nature. Demand reduction programs are managed by the Health Ministry's National Bureau for Drug Addiction (NBDA) and provincial and municipal governments, and are intended to target local populations. In contrast, regional law enforcement offices are required to coordinate most activities with Warsaw, which hinders the development of investigations and evidence collection. Cooperation between regional law enforcement offices at times is also limited by the centralized structure. This centralization of power in Warsaw appears to have strengthened since the November 2007 election of Prime Minister Donald Tusk.

According to the Central Bureau of Investigation (CBS), Poland's December 2007 accession to the EU's Schengen zone has not led to a significant change in the number of drug-related crimes committed in

WARSAW 00001136 002.2 OF 003

Poland. While tighter border controls along the Eastern border make it more difficult to traffic drugs from Eastern European countries such as Ukraine and Russia, it is easier to export narcotics to Western European countries. Anecdotal information indicates that Poland's role as a transit nation has remained constant or might even be on the rise. The PNP reports better access to information from the Schengen Information System. Poland works with Interpol and EUROPOL to combat the transnational narcotics trade. Poland also cooperates with several neighboring countries on counternarcotics programs, including Project Eagle, a Polish-Swedish project against trafficking of amphetamines. One sign of the success of local law enforcement in uncovering amphetamine labs is the relocation of labs from Warsaw to more remote, rural areas. Between January and September 2009, the CBS closed down 8 amphetamine labs, compared with 16 in 2008.

In 2008, 25,971 suspects were identified as being involved in drug-related crimes, including 2,923 underage suspects, and over 57,382 drug-related crimes were registered. In February 2009, the Warsaw based office of Drug Enforcement Administration completed a long-term investigation into a South America-based international cocaine trafficking organization. The investigation was conducted together with numerous domestic and foreign DEA offices and several host national counterparts, including the Polish Internal Security Agency (ABW). The investigation culminated with the seizure of approximately 1.2 tons of cocaine and the arrest of several high ranking members of South American and European drug trafficking organizations. In July 2009, CBS arrested in Warsaw five members of an organized criminal group responsible for bringing to Poland more than 8 kg of cocaine from Brazil. The net worth of the narcotics was 3 million PLN (about 1 million USD). In May 2009, CBS liquidated a nine-person organized group responsible for trafficking cocaine from South America to Poland, seizing 11 kg cocaine with a street value of 4 million PLN (about 1.3 million USD). In April 2009, CBS arrested three members of a criminal gang on charges of distributing 6 kg of cocaine from South Africa. In February 2009, as part of a two-year police investigation, CBS arrested 10 members of a narcotics gang in Poznan, Warsaw and Opole responsible for trafficking drugs to Sweden and Ireland. To date, a total of 45

people have been arrested. In September 2008, four tons of hashish worth 120 million PLN (approx. \$51 Million) was seized in Germany, as the result of cooperation between the Polish Central Bureau of Investigation (CBS) and German and Dutch Police. On the basis of recent seizures, the Polish CBS assesses that it has managed to reduce the flow of narcotics from Pakistan to Western Europe.

Corruption. As a matter of policy, the Government of Poland does not encourage or facilitate illicit production or distribution of narcotic or psychotropic drugs or other controlled substances, or the laundering of proceeds from illegal drug transactions.

Agreements and Treaties. Poland has fulfilled requirements to harmonize its laws with the EU's Drug Policy and closely cooperates with the EU Monitoring Center on Drugs in Lisbon. Poland is a party to the 1988 UN Drug Convention, the 1971 UN Convention on Psychotropic Substances, and the 1961 UN Single Convention, as amended by the 1972 Protocol. Poland is a party to the UN Convention Against Corruption and the UN Convention against Transnational Organized Crime and its three protocols. Poland is also a member of the Dublin Group. An extradition treaty and a mutual legal assistance treaty are in force between the U.S. and Poland. Poland has signed bilateral instruments with the U.S. implementing the 2003 U.S.-EU Extradition and Mutual Legal Assistance Agreements. The U.S. and Poland have ratified these instruments. None have entered into force.

Cultivation and Production. Synthetic drugs, particularly amphetamines, are manufactured in Poland in small-scale kitchen operations. The quality of amphetamines in Poland tends to be high as a result of double distillation, making Polish amphetamines more attractive to some users than cheaper, large-scale production amphetamines from Belgium or the Netherlands.

Drug Flow/Transit. A significant percentage of Polish-produced amphetamines are exported to Scandinavia. Precursors for amphetamines are not locally available and must be imported from other countries. The profitability of Poland's small amphetamine labs remains low. Shipments of heroin, hashish, cocaine, and Ecstasy frequently transit the country, destined for Western Europe. Ecstasy prices in Poland in 2009 ranged from 12 to 20 PLN (4 to 7 USD) per pill, compared with 15 to 40 PLN (or 6.50 to 17 USD) in 2008. Ecstasy can be bought wholesale for 6-8 PLN (2 to 3 USD). Opium originating from Afghanistan and Pakistan is also frequently shipped through Poland to Western Europe.

Domestic Programs/Demand Reduction. The NBDA has a comprehensive plan for reducing drug addiction and programs to discourage new users. The GoP estimates there are between 100,000 and 120,000 drug

WARSAW 00001136 003.2 OF 003

users in Poland. In 2008, 85 drug-free residential facilities (not including psychiatric hospitals) were in operation, including 33 facilities that accepted underage drug addicts. The facilities accommodated up to 2,900 patients. In 2007 (the last year for which statistics are available) 15,125 patients were treated in residential facilities, compared with 13,198 in 2006. Apart from residential facilities, there were 295 outpatient clinics that provided treatment to drug addicts, experimental users, and their family members. There were also 30 detoxification centers in operation. In 2009 there were 17 active substitution treatment programs offered in outpatient clinics and five programs in detention facilities; the total number of patients treated in those facilities was 1,583 (including 71 persons in detention facilities). Notwithstanding the extensive treatment programs, a gap exists between prison substitution programs and general programs which can lead to addict relapse. In 2008, the National Bureau for Drug Prevention co-financed the implementation of prevention programs for at-risk children and adolescents, focusing on recreational drug use. Programs like Monar, which targets discotheques and clubs, and Parasol, which focuses on commercial sex workers, are two of the seven demand reduction programs. The National Bureau for Drug Prevention also launched a "Watch Your Drink" program to combat date rape drugs like GHB, ketamine, and rohypnol.

IV. U.S. Policy Initiatives and Programs

Bilateral Cooperation. Bilateral cooperation between U.S. and Polish counternarcotics agencies remains strong, especially since the stationing of two DEA officers in Warsaw in 2005. One of the challenges to cooperation on a policy level remains the high turnover of senior- and managerial-level Polish police officials. Differences between the U.S. and Polish judicial systems continue to make cooperation and investigation of some leads problematic. Nonetheless, DEA and LEGAT assess that there is good cooperation at the working level. Cooperation has also been effective in cases where the USG has been able to supplement Polish resources and capabilities and to coordinate regional and intercontinental investigations. In 2009, the PNP cooperated with DEA in several narcotics investigations targeting criminal organizations that import controlled substances into and through Poland.

The Road Ahead. Given Poland's predominant role as a transit country, the USG will continue to promote regional cooperation and focus on providing training that promotes integrated interdiction efforts. Additionally, the USG will continue to advocate judicial reform measures that enable more efficient investigations and ensure more effective punishment for narcotics traffickers.

End text.

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